

CHAPTER 365

APPROPRIATIONS

HOUSE BILL 02-1377

BY REPRESENTATIVE(S) Young, Berry, Saliman, Kester, and Scott;
also SENATOR(S) Reeves, Tate, and Owen.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LOCAL AFFAIRS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Part XII of section 2 of chapter 363, Session Laws of Colorado 2001, is amended to read:

Section 2. **Appropriation.**

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

Appropriations

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
PART XII						
DEPARTMENT OF LOCAL AFFAIRS						
(1) EXECUTIVE DIRECTOR'S OFFICE						
Personal Services	968,766	704,208 (8.0 FTE)			264,558(T) ^a (6.0 FTE)	
Health, Life, and Dental	413,379 408,247	288,555 284,972		13,067^b 12,905 ^b	42,790^c 42,259 ^c	68,967 68,111
Short-term Disability	5,590	3,934		173 ^b	567 ^c	916
Salary Survey and Senior Executive Service	446,959	331,973		13,126 ^b	23,046 ^c	78,814
Anniversary Increases	107,292	80,627		2,874 ^b	4,826 ^c	18,965
Workers' Compensation	17,733 16,878	16,720 15,914		304^b 289 ^b	709^c 675 ^c	
Operating Expenses	157,805	144,211		2,332 ^b	2,265(T) ^d	8,997
Legal Services for 2,294 1,949 hours	134,038 113,880	119,606 99,448		4,733 ^b	5,843 ^c	3,856
Purchase of Services from Computer Center	5,898 5,105	5,564 5,105			334^c	

Payment to Risk Management and Property Funds	60,378	56,297	1,736 ^b	2,345 ^c	
	25,822	24,077	742 ^b	1,003 ^c	
Vehicle Lease Payments	143,978	143,978			
	134,607	134,607			
Information Technology Asset Maintenance	97,679	57,929	3,600 ^b	11,400 ^c	24,750
Leased Space	38,552	21,337		2,672(T) ^c	14,543
Capitol Complex Leased Space	361,010	290,948	4,037 ^f	16,718(T)^g	49,307
	384,738	303,018	5,906 ^f	17,997(T) ^g	57,817
Moffat Tunnel Improvement District ¹⁶⁷	81,000		21,000 ^h	60,000 ⁱ	
Workforce Development Council	275,000			275,000(T) ^j	
				(4.0 FTE)	
	<u> </u>	3,315,057			
		3,267,920			

^a This amount shall be from indirect cost recoveries.

^b These amounts shall be from various sources of cash funds.

^c These amounts shall be from various sources of cash funds exempt.

^d Of this amount, \$1,300 shall be from state agency user charges for the sale of information and \$965 shall be from the Local Government Severance Tax Fund, which is transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item.

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<p>^e Of this amount, \$1,781 shall be from the Local Government Severance Tax Fund created in Section 39-29-110, C.R.S., and \$891 shall be from the Local Government Mineral Impact Fund created in Section 34-63-102, C.R.S. These amounts are transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item.</p> <p>^f Of this amount, \$1,710 SHALL BE FROM THE SEARCH AND RESCUE FUND PURSUANT TO SECTION 33-1-112.5, C.R.S., \$1,553 \$1,614 shall be from the Nonresidential Structure Regulation Fund pursuant to Section 24-32-1905, C.R.S., and \$2,484 \$2,582 shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6, C.R.S.</p> <p>^g Of this amount, \$10,482 \$11,335 shall be from the Local Government Severance Tax Fund, \$5,244 \$5,667 shall be from the Local Government Mineral Impact Fund, and \$995 shall be from Limited Gaming Funds appropriated to the Department of Revenue. The Severance Tax and Mineral Impact amounts are transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item.</p> <p>^h This amount shall be from the Moffat Tunnel Cash Fund pursuant to Section 32-8-126, C.R.S.</p> <p>ⁱ This amount shall be from reserves in the Moffat Tunnel Cash Fund pursuant to Section 32-8-126, C.R.S.</p> <p>^j This amount shall be from federal funds transferred to the Department of Local Affairs from other state agencies.</p>						

(2) PROPERTY TAXATION

Board of Assessment		
Appeals	614,912	614,912
	610,212	610,212
		(16.0 FTE)
Property Taxation	2,582,718	2,582,718
	2,564,073	2,564,073
		(40.0 FTE)
Property Tax Advisory Committee	2,423	2,423

State Board of Equalization	<u>12,856</u>	12,856
	3,212,909	
	3,189,564	

(3) COMMUNITY DEVELOPMENT

(A) Division of Housing

(1) Administration

Personal Services	1,579,659	957,573	15,572 ^a	97,591(T)^b	508,923
	1,572,159	650,073		397,591(T) ^b	
		(15.0 FTE)	(0.5 FTE)	(2.6 FTE)	(8.8 FTE)
Operating Expenses	159,944	32,633		12,382(T) ^b	114,929
Housing Seminars	12,695		12,695 ^c		
Indirect Cost Assessment	<u>192,370</u>		21,372 ^d		170,998
	1,944,668				
	1,937,168				

^a This amount shall be from the Manufactured Home Fund pursuant to Section 6-1-603, C.R.S.

^b OF THESE AMOUNTS, ~~These amounts~~ \$300,000 SHALL BE FROM THE LOCAL GOVERNMENT SEVERANCE TAX FUND PURSUANT TO SECTION 39-29-110, C.R.S., AND \$109,973 shall be from indirect cost recoveries. THE SEVERANCE TAX AMOUNT IS TRANSFERRED FROM THE LOCAL GOVERNMENT MINERAL AND ENERGY IMPACT GRANTS AND DISBURSEMENTS LINE ITEM.

^c This amount shall be from fees paid by seminar participants.

^d This amount shall be from the Nonresidential Structure Regulation Fund pursuant to Section 24-32-1905, C.R.S.

(2) Manufactured Buildings Inspection

Factory Built Commercial Buildings Inspection	97,105		97,105 ^a	
			(1.0 FTE)	

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Manufactured Home Installation Inspection	89,643			89,643 ^b		
	<u>186,748</u>			(1.0 FTE)		

^a This amount shall be from the Nonresidential Structure Regulation Fund pursuant to Section 24-32-1905, C.R.S.

^b This amount shall be from fees collected pursuant to ~~Section~~ SECTIONS 24-32-3103 ~~(7);~~ (7) AND 24-32-3105, C.R.S.

(3) Affordable Housing Development

Colorado Affordable

Housing Construction

Grants and Loans ^{168, 169, 170}	4,570,000	4,570,000
	2,508,933	2,508,933

Federal Affordable Housing

Construction Grants and

Loans	11,745,960		11,745,960
Emergency Shelter Program	905,000		905,000
Private Activity Bond Allocation Committee	<u>2,850</u>	2,850	
	17,223,810		
	15,162,743		

(4) Rental Assistance

Low Income Rental

Subsidies	9,195,001				9,195,001
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~~28,550,227~~

26,481,660

(B) Division of Local Government

(1) Local Government and Community Services

(a) Administration

Personal Services	1,531,686	1,340,480	12,254 ^a	57,243(T) ^b	121,709
		861,480		536,243(T) ^b	
		(19.8 FTE)	(0.4 FTE)	(1.1 FTE)	(2.4 FTE)
Operating Expenses	100,735	74,782		4,348(T) ^c	21,605
	<u>1,632,421</u>	53,782		25,348(T) ^c	

^a This amount shall be from charges to non-state agencies for use of the Automated Mapping System.

^b Of this amount, \$479,000 SHALL BE FROM THE LOCAL GOVERNMENT SEVERANCE TAX FUND PURSUANT TO SECTION 39-29-110, C.R.S., \$53,293 shall be from indirect cost recoveries RECOVERIES, and \$3,950 shall be from state agency user charges for the sale of information. THE SEVERANCE TAX AMOUNT IS TRANSFERRED FROM THE LOCAL GOVERNMENT MINERAL AND ENERGY IMPACT GRANTS AND DISBURSEMENTS LINE ITEM.

^c OF THIS AMOUNT, ~~This amount~~ \$21,000 SHALL BE FROM THE LOCAL GOVERNMENT SEVERANCE TAX FUND PURSUANT TO SECTION 39-29-110, C.R.S., AND \$4,348 shall be from indirect cost recoveries. THE SEVERANCE TAX AMOUNT IS TRANSFERRED FROM THE LOCAL GOVERNMENT MINERAL AND ENERGY IMPACT GRANTS AND DISBURSEMENTS LINE ITEM.

(b) Local Government Services

Appropriations

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Local Utility Management Assistance	127,171			127,171 ^a (2.0 FTE)		
Conservation Trust Fund Disbursements	40,500,000				40,500,000 ^b	
Local Government Training Seminars	35,540			35,540 ^c		
Bureau of Land Management Demographics	15,000					15,000
	<u>40,677,711</u>					

^aThis amount shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6, C.R.S.

^bThis amount shall be from the State Lottery Fund pursuant to Section 33-60-104(1)(a), C.R.S.

^cThis amount shall be from fees paid by seminar participants.

(c) Community Services

Community Services Block

Grant	5,357,790					5,357,790
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(d) Waste Tire Fund

Waste Tire Recycling,

Reuse and Removal Grants	2,000,000			1,600,000 ^a	400,000 ^b	
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Allocations to the
Commission on Higher
Education, Advanced
Technology Fund

800,000
2,800,000

800,000^a

^a These amounts shall be from the Waste Tire Recycling Development Cash Fund pursuant to Section 25-17-202(3), C.R.S.

^b This amount shall be from reserves in the Waste Tire Recycling Development Cash Fund pursuant to Section 25-17-202(3), C.R.S.

50,467,922

(2) Field Services

Program Costs	1,990,686	963,816 453,816 (11.0 FTE)	700,103(T)^a 1,210,103(T) ^a (10.1 FTE)	326,767 (4.8 FTE)
Community Development Block Grant (Business and Infrastructure Development)	8,091,499			8,091,499
Local Government Mineral and Energy Impact Grants and Disbursements	55,369,242 59,269,242 ^h	21,000,000 ^b	34,369,242^a 38,269,242 ^c	
Local Government Limited Gaming Impact Grants	5,050,000		5,050,000 ^d	
Search and Rescue Program	480,000	390,000 ^e (0.3 FTE)	90,000 ^f	

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Colorado Heritage Communities Fund	735,485		735,485				
	190,775		190,775				
Colorado Heritage Communities Grants	735,485					735,485 ^e	
	190,775					190,775 ^e	
Rural Telecommunications Grants	114,400		114,400				
		72,566,797					
		75,377,377					

^a Of this amount, ~~\$310,857~~ \$817,524 shall be from the Local Government Severance Tax Fund, ~~\$155,429~~ \$158,762 shall be from the Local Government Mineral Impact Fund, \$59,339 shall be from Limited Gaming Funds appropriated to the Department of Revenue, \$143,045 are from indirect cost recoveries, and \$31,433 shall be from funds transferred from the Economic Development Commission in the Governor's Office. The Severance Tax and Mineral Impact amounts are transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item.

^b This amount shall be from the Local Government Severance Tax Fund pursuant to Section 39-29-110, C.R.S.

^c Of this amount, ~~\$14,869,242~~ \$18,769,242 shall be from reserves in the Local Government Severance Tax Fund and \$19,500,000 shall be from the Local Government Mineral Impact Fund, pursuant to Section 34-63-102, C.R.S., which is comprised of federal mineral leasing revenues and the existing fund balance.

^d This amount shall be from the fund balance in the Local Government Limited Gaming Impact Fund, which consists of funds transferred from the Limited Gaming Fund in the Department of Revenue in the prior fiscal year, pursuant to Sections 12-47.1-701 and 12-47.1-1601, C.R.S.

^e This amount shall be from the Search and Rescue Fund pursuant to Section 33-1-112.5, C.R.S.

^f This amount shall be from reserves in the Search and Rescue Fund pursuant to Section 33-1-112.5, C.R.S.

^g This amount shall be from the Colorado Heritage Communities Fund pursuant to Section 24-32-3207, C.R.S.

^b OF THIS AMOUNT, AT LEAST \$1,970,000 SHALL BE AWARDED AS GRANTS FOR AFFORDABLE HOUSING PURPOSES AND AT LEAST \$530,000 SHALL BE AWARDED AS GRANTS TO LOCAL GOVERNMENTS TO ADDRESS PLANNING/GROWTH ISSUES AND TO DEVELOP MASTER PLANS.

(3) Office of Emergency Management

Program Costs	5,135,841	276,842	6,000 ^a	253,850^b	4,599,149
		176,842		353,850 ^b	
		(3.5 FTE)		(4.7 FTE)	(15.3 FTE)

^a This amount shall be from fees paid for local government emergency training programs.

^b Of this amount, \$248,850(T) shall be from indirect cost-recoveries RECOVERIES, \$100,000(T) SHALL BE FROM THE LOCAL GOVERNMENT SEVERANCE TAX FUND PURSUANT TO SECTION 39-29-110, C.R.S., and \$5,000 shall be from fees paid for state college and state agency emergency training programs. THE SEVERANCE TAX AMOUNT IS TRANSFERRED FROM THE LOCAL GOVERNMENT MINERAL AND ENERGY IMPACT GRANTS AND DISBURSEMENTS LINE ITEM.

(4) Division of Local Government Indirect Cost Assessments

Assessments	631,697		36,664 ^a	99,593(T) ^b	495,440 ^c
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^a This amount shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6, C.R.S.

^b Of this amount, \$81,724 shall be from reserves in the Local Government Severance Tax Fund and \$17,869 shall be from Limited Gaming Funds appropriated to the Department of Revenue.

^c Of this amount, \$286,399 is anticipated from the Federal Emergency Management Agency, \$104,418 is anticipated from the Community Development Block Grant, \$55,589 is anticipated from the Community Services Block Grant, and \$49,034 is anticipated from the Local Government Mineral Impact Fund.

TOTALS PART XII

(LOCAL AFFAIRS)^{4,5}	<u>\$163,880,450</u>	<u>\$14,547,657</u>	<u>\$24,310,998</u>	<u>\$83,082,910[*]</u>	<u>\$41,938,885</u>
	<u>\$164,551,981</u>	<u>\$10,446,508</u>	<u>\$24,311,696</u>	<u>\$87,847,238^a</u>	<u>\$41,946,539</u>

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a Of this amount, ~~\$1,781,323~~ \$3,192,602 contains a (T) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

- 4 (Governor lined through this provision. See L. 2001, p. 2345.)
- 5 All Departments, Totals -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly. Each principal department of the state shall produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format shall be submitted to the Office of Legislative Legal Services for publishing on the Internet. It is the intent of the General Assembly that this be done within existing resources.
- 167 Department of Local Affairs, Executive Director's Office, Moffat Tunnel Improvement District -- The Department of Local Affairs is requested to provide a report to the Joint Budget Committee, by November 1, 2001, detailing the Department's activities, expenses and revenues in FY 1999-00, FY 2000-01, FY 2001-02, and FY 2002-03 related to the administration of the Moffat Tunnel Improvement District. The report should identify work undertaken or contracted by the Department, including legal, title search, and surveying services, and the reasons for the work, including, but not limited to, the sale of assets.
- 168 Department of Local Affairs, Community Development, Division of Housing, Affordable Housing Development, Colorado Affordable Housing Construction Grants and Loans -- The Division of Housing is requested to provide a report to the Joint Budget Committee, by November 1, 2001, on its efforts to eliminate regulatory barriers to the construction of affordable housing. The report should include a review of the types and prevalence of local regulatory

barriers to affordable housing, a review of the steps the Division of Housing is taking to reduce these barriers, and a report on the effectiveness of the Division's efforts.

169 Department of Local Affairs, Community Development, Division of Housing, Affordable Housing Development, Colorado Affordable Housing Construction Grants and Loans -- The Division of Housing is requested to provide a report to the Joint Budget Committee by November 1, 2001, on the impact of its programs to address the lack of affordable housing for renters and home buyers. This report should include a review of housing needs in the state, a review of state, federal, and local programs for addressing affordable housing needs, data on the impact of these programs, and an analysis of the impact of current state affordable housing policies and targeting criteria with any proposed modifications.

170 Department of Local Affairs, Community Development, Division of Housing, Affordable Housing Development, Colorado Affordable Housing Construction Grants and Loans -- The appropriation for the Colorado Affordable Housing Construction Grants and Loans line item includes \$2.6 million General Fund in base funding and \$1,970,000 General Fund which became available as a result of one-time refinancing of State Maintenance of Effort funding under the federal Temporary Assistance for Needy Families Block Grant. In this regard, it is the intent of the General Assembly that the \$1,970,000 in additional funding provided to this line item in FY 2001-02 be considered one-time in nature. The General Assembly accepts no obligation to fund this line at the \$4,570,000 level after FY 2001-02.

SECTION 2. Effective date. This act shall take effect upon passage; except that this act shall only take effect if the following bills are enacted at the Second Regular Session of the Sixty-third General Assembly and become law: House Bill 02-1366; House Bill 02-1367; House Bill 02-1368; House Bill 02-1369; House Bill 02-1370; House Bill 02-1371; House Bill 02-1372; House Bill 02-1373; House Bill 02-1374; House Bill 02-1375; House Bill 02-1376; House Bill 02-1378; House Bill 02-1379; House Bill 02-1380; House Bill 02-1381; House Bill 02-1382; House Bill 02-1383; House Bill 02-1384; House Bill 02-1385; House Bill 02-1386; House Bill 02-1387; House Bill 02-1388; House Bill 02-1389; House Bill 02-1390; House Bill 02-1391; House Bill 02-1392; House Bill 02-1393; and House Bill 02-1394.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 27, 2002

Editor's note: Section 2 of this act provided that this act is effective upon passage only if House Bills 02-1366 through 02-1394 are enacted and become law. Said bills were signed March 27, 2002.